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11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**
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14 DARREN GILBERT,
15 Plaintiff,
16 vs.

17 DE ARANJAH INC. dba VALERO GRIP &
18 GO, et al.,
19 Defendants.

20 AND RELATED CROSS-CLAIM.
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No. 1:22-cv-00994-DAD-DB

**SECOND STIPULATION TO MODIFY
SCHEDULING ORDER; AND ORDER**

SECOND STIPULATION TO MODIFY SCHEDULING ORDER;
ORDER

1 **WHEREAS**, the Court originally issued a Scheduling Order in this matter on May 23,
2 2023 (Dkt. 30);

3 **WHEREAS**, following the issuance of the Scheduling Order, the matter was transferred
4 on September 13, 2023 pursuant to Amended Local Rule 120 and reassigned to District Judge
5 Dale A. Drozd and Magistrate Judge Deborah Barnes (Dkt. 42);

6 **WHEREAS**, on September 21, 2023, Plaintiff Darren Gilbert (“Plaintiff”) filed a motion
7 for default judgment against defaulted defendant De Aranjah Inc. dba Valero Grip & Go (“De
8 Aranjah”) (Dkt. 43), which motion was denied without prejudice to its renewal (Dkt. 52), and
9 the motion was later re-filed on January 15, 2024 and is set for hearing on February 23, 2024
10 (Dkt. 54);

11 **WHEREAS**, Plaintiff and the remaining defendant, Gill McHenry Inc. (“Gill McHenry,”
12 and together with Plaintiff, the “Parties”), wish to conserve Court resources and limit the
13 expenditure of attorney’s fees and costs that will be incurred through fact and expert discovery
14 while awaiting the results of Plaintiff’s motion for default judgment against De Aranjah, which
15 will inform the scope of necessary discovery;

16 **WHEREAS**, for this reason, the Parties previously stipulated to, and the Court granted,
17 a continuance of discovery deadlines and trial (Dkt. 46);

18 **WHEREAS**, the denial and re-filing of Plaintiff’s motion for default judgment against
19 De Aranjah necessitates a further continuance of discovery and dispositive motion deadlines
20 pending the results of the motion;

21 **NOW, THEREFORE, IT IS HEREBY STIPULATED** by and between the Parties,
22 through their respective attorneys of record, that the Scheduling Order be further modified as
23 follows:

	<u>Current Date</u>	<u>New Date</u>
24 Non-expert discovery cut-off	3/29/2024	5/29/2024
25 Expert disclosures	4/29/2024	6/12/2024
26 Rebuttal expert disclosure	5/29/2024	6/26/2024

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SECOND STIPULATION TO MODIFY SCHEDULING ORDER;
ORDER

Expert discovery cut-off 6/28/2024 7/24/2024

Dispositive motion filing deadline 8/9/2024 8/23/2024

All other dates will remain unchanged.

IT IS SO STIPULATED.

Dated: January 23, 2024

MOORE LAW FIRM, P.C.

/s/ Tanya E. Moore

Tanya E. Moore

Attorney for Plaintiff,

Darren Gilbert

Dated: January 23, 2024

LAW OFFICES OF MAYOL &
BARRINGER, LLP

/s/ Nicholas J. Loncarich

W. Bart Barringer

Nicholas J. Loncarich

Attorneys for Defendant/Cross-Claimant,
Gill McHenry, Inc.

SECOND STIPULATION TO MODIFY SCHEDULING ORDER;
ORDER

ORDER

Pursuant to the parties' stipulation, **IT IS HEREBY ORDERED** that the Scheduling Order in this matter is modified as follows:

	<u>Current Date</u>	<u>New Date</u>
Non-expert discovery cut-off	3/29/2024	5/29/2024
Expert disclosures	4/29/2024	6/12/2024
Rebuttal expert disclosure	5/29/2024	6/26/2024
Expert discovery cut-off	6/28/2024	7/24/2024
Dispositive motion filing deadline	8/9/2024	8/23/2024

All other dates will remain unchanged.

IT IS SO ORDERED.

DATED: January 25, 2024

/s/ DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE

SECOND STIPULATION TO MODIFY SCHEDULING ORDER;
ORDER